REMARKS

1) Claims 1 - 24 were pending. In the above-identified Office action, the disclosure was objected to on page 13, line 10; claims 3 and 15 were objected to for informalities; claim 21 was rejected under 35 USC 112 as being indefinite; claims 1-24 were rejected under 35 USC 102(b) as being anticipated by Anderson et al. 5850388; and claims 1, 9, 13, and 21 were rejected under 35 USC 102(e) as being anticipated by Schlater et al. 6148420.

2) Drawing FIG. 7A is amended to correct an error that was noted by the inventor during the preparation of a response to this Office action.

3) The disclosure page 13 is amended to change "convention" to --conventional--. The disclosure page 18 is amended to change "display presentation 48" to --display presentation 46--.

4) Claims 3, 15 and 21 are amended to correct informalities and indefiniteness.

Claims 1 and 13

5) Claims 1 and 13 are amended to distinguish "protocol units" and "protocol levels"; and to show one-to-one correspondence of text fields and the field descriptors in the field cells. The cited references do not show first and second protocol units and levels; and do not show such field cells.

6) "Communication protocol standard", "protocol units" and "protocol levels" are described in the specification (page 1, line 18; page 7, line 5; page 14, line 6; page 15, line 25; Figures 3-7). A communication protocol standard is the manner in which signals are sent and the detailed rules that govern both channel and device hardware and software. A protocol unit is described as a consecutive set of field cells 50 (in FIGS. 3-7)) representing a complete operation at a designated protocol level. The protocol unit

represents communication data for an operation at a level of a multilevel protocol according to a specification standard for that protocol. For a higher protocol level, the field cell may include information from several complete operations or units at a lower protocol level. A complete operation or unit at a protocol level includes the communication data that is necessary from a start to a finish at that protocol level according to the communication protocol standard for performing a specified task at that protocol level. The cited references have a similar definition for a communication "protocol" standard but use the terms "protocols" and protocol levels (or layers)" differently than the protocol units and protocol levels of the patent application.

Office misconstrues Anderson

7) Anderson does not mention field cells having text fields and field descriptors as defined in the patent application.

8) Anderson uses "protocols" to refer to the headers and footers in a frame (column 1, line 66). Anderson uses "protocol layers" to refer to the industry standard ISO network layers/levels (FIG. 1, col. 2 lines 2-15). The ISO network layers are a structured construction for organizing, separating and visualizing the issues in data communication into seven categories of communication that is useful to facilitating understanding. The ISO layers are not the same as, and are independent of, the protocol levels of protocol units that are described in the patent application. The protocol levels of the patent application are levels (packet, transaction, transfer for example of USB) within a particular communication protocol standard. The ISO layers are not useful for the idea of the patent application.

9) The protocol units of the patent application represent actual transmitted data. Anderson (col. 4, lines 49-57; col. 9, lines 22-27; FIG. 3; item 318; col. 5 lines 18-22; col. 28, lines 27-43) writes about the occurrence and distribution statistics of users on a network (see Anderson FIGS. 18, 19A, 19B, 19C, 20). The idea of the patent application is beneficial for determining why two devices are not properly communicating.

Anderson might be useful for optimizing usage of an existing network where the devices are already communicating.

10) If we assume that the frame shown by Anderson as background (FIG. 2) is one protocol level, Anderson does not have or display a second protocol level. There are significant benefits of the patent application by simultaneous display of first AND second protocol levels in hierarchical manner in order to determine why two devices are not communicating.

11) Anderson (col. 9, lines 16-22; col. 31, lines 12-25) does not detail the form in which frame information is displayed. Anderson does not show that the information is displayed as field cells, text fields and associated field descriptors of the patent application.

12) Anderson (FIG. 1; col. 9-10, lines 41-3) does not mention the multiple protocol levels of the patent application. In terms of the patent application, the frame in Anderson (FIG. 2) is only a single protocol level.

13) Anderson (col. 31, lines 12-25) refers back to frame analysis and captured frames (col. 10, lines 4-18). The frame analysis is used on the captured frames in real time for generating statistics on a network. Anderson (col. 5, lines 18-22) refers to network statistics for the occurrence and distribution. Anderson (col. 28, lines 27-43) refers to the processing of network statistics. There is no indication in any of these lines for the field cells or the hierarchical manner of display of first and second protocol units of the patent application.

Office misconstrues Schlater

14) Schlater does not mention field cells having text fields and field descriptors as defined in the patent application. Schlater does not mention the protocol units for multiple (first and second) protocol levels of the patent application.

Summary

15) In summary, neither Schlater nor Anderson displays the field cells of the patent application and neither Schlater nor Anderson displays first and second protocol units in the hierarchical manner of the patent application.

16) Accordingly, the applicant requests reconsideration and allowance of claims 1-24 as amended.

17) In a telephone conference of 11-May-2004 the Examination Supervisor volunteered and the Applicant's Agent accepted an offer to call the Applicant's Agent before issuing a next Office action in order to expedite prosecution.

David R Gildea 17-May-2004

David R. Gildea, Reg. No. 38,465 date

Tel. 650-853-0189

Menlo Patent Agency LLC